

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

Civil Division
Norfolk

Case No.

2:21-cv-00499
(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☐

Yes

☐

No

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Amendment

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Nicole Harris

Street Address

1215 Ashby St

City and County

Staunton Va 24401

State and Zip Code

Va 24401

Telephone Number

540 849 4388

E-mail Address

blofish84@aol.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Joseph L Polk

1404 Armstrong Ave
Staunton, Va 24401

(540) 8494388

JosephPolk@gmail.com

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Harbor Point Behavioral Health
381 Fort Lane
Portsmouth
Virginia
757

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Kara Paccadolmi
(CPS) Social Worker
65 Dick Huff Ln.
Verona (Augusta City)
Virginia 24482
540 245 5800
Kara-paccadolmi@dss.virginia.gov

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Ann Radford
Psychologist
381 Fort Lane
Portsmouth, Va
Virginia
757 336-0801

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Gabriele Moormeil
Resident in counseling
381 Fort Lane
Portsmouth
Virginia
757 336 0801

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Add Plaintiff:

① Jorjan Polk (540) 849 9120
1404 Armstrong Ave Jorjanpolk@gmail
Staunton, Va 24401

Add Defendant:

① Freddie Anderson (757) 363 9091
301 Foet Lane
Portsmouth, Va

② ~~Shenandoah~~ Shenandoah Valley Dept. of Social Services
68 Dick Huff Lane (540) 849
Staunton, Va 24401 245 5800

③ Universal Health Services

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

False Claims Act (when one willingly & knowingly provides false info for approval/payer)
(Due Process) Quality of Care, Breach of Duty
Free from govt invasion

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Nicole Heer's, is a citizen of the
State of (name) Virginia.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

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b. If the defendant is a corporation

The defendant, (name) Harbor Point BHE, is incorporated under
the laws of the State of (name) Virginia, and has its
principal place of business in the State of (name) Virginia.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$500,000 : year's worth of gas, hotels, rentals,
countless hours researching & mental impairment of
my child due to this traumatic experience.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

* For eleven months HPBHE expected my child to come to terms of why she was in DSS care & coping with it. She had no discharge date, (Judge ordered release in Dec 2016) was punished for sharing her suicidal thoughts @ group. Chemical Restraint, unnecessary weight loss meds (metformin diabetic meds) Staff was not licensed to work w/ mental Emotional Kids.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Child suffers from PTSD & often has night terrors of being back in HPBHE. Her thyroid is suppressed from being put on numerous, uncalled for meds. Two of the meds should have never been given to my child, she did not benefit from inpatient & the least restricted environment is

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

9/29/2021

Signature of Plaintiff

Printed Name of Plaintiff

Nicole Harris
Nicole Harris

Jordan Polk
Jordan Polk

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address